

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

W.P.NO.1466 OF 2006

Lal Mohamed Nabi Shaikh ..Petitioner

Vs.

The Estate Manager-V
The Mumbai Housing and Area
Development Board Griha Nirman
and two Ors. ..Respondents

...
Mr.P.B.Kakade Adv.for Petitioner
Mr.M.More AGP for Respondent Nos.1 and 2
Mr.N.Srivastava Adv. for Respondent No.3
...

CORAM: F.I.REBELLO AND
SMT.V.K.TAHILRAMANI, JJ.
DATE : JULY 19, 2006

P.C.

1. Petitioner was in the premises which were allotted to one Shri.Gulam Mohiddin Fazluddin at one point of time, the Respondents had agreed to regularise the occupation of the petitioner subject to the petitioner producing N.O.C. from the original tenant. That was never produced. Apart from that, the legal heirs of the original tenant moved MHADA, pursuant to which the earlier order was set aside. In other words, the petitioner's occupation on the

premises was held to be unauthorised. There is an order of eviction against him which is the subject matter of the present challenge. Considering the affidavit filed by Natha Anna Chaugale, we are clearly of the opinion that this is not a fit case to exercise our extra ordinary jurisdiction. Petition is rejected.

[F.I.REBELLO, J.]

[SMT.V.K.TAHILRAMANI, J.]